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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 MARKETING SOLUTIONS  
10 INTERNATIONAL,

11 Plaintiff,

12 v.

13 FIVE STAR RESORTS TRAVEL LLC,  
14

15 Defendant.

Case No. C17-435RSM

ORDER TO SHOW CAUSE

16 This matter comes before the Court *sua sponte*. According to the Complaint in this  
17 case, Plaintiff Marketing Solutions International is a “corporation” represented by its owner,  
18 Mr. Mark William Daigle. *See* Dkt. #5 at 1. Plaintiff has filed materials with the Court  
19 indicating that Defendant was served by mail rather than through in-person service. Dkt #4.  
20 Defendant has failed to make an appearance.  
21

22 According to this Court's Local Rules, “[a] business entity, except a sole proprietorship,  
23 must be represented by counsel.” LCR 83.2(b)(3). Failure to be represented by an attorney  
24 admitted to practice before this court “may result in the dismissal of the business entity’s  
25 claims for failure to prosecute...” *Id.*  
26

27 It appears from the record that Plaintiff Marketing Solutions International is not a sole  
28 proprietorship and therefore must be represented by counsel. Further, the Court is concerned

1 by the lack of activity in this matter and questions whether Defendant has been properly served.  
2 Accordingly, the Court now issues an Order to Show Cause why this case should not be  
3 dismissed for failure to prosecute. The Court will dismiss this case for failure to prosecute  
4 unless Plaintiff convinces the Court that it is a sole proprietorship or Plaintiff promptly obtains  
5 counsel.  
6

7 In Response to this Order, Plaintiff must write a short statement telling the Court: (1)  
8 whether Marketing Solutions International is a sole proprietorship or if it plans to promptly  
9 obtain counsel; (2) why Plaintiff's method of service by mail was proper; and (3) the current  
10 status of Plaintiff's prosecution of this case.  
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12 Plaintiff shall file a Response to this Order to Show Cause containing the detail  
13 described above **no later than ten (10) days** from the date of this Order. Plaintiff is permitted  
14 to respond to this Order via representative Mark Daigle. **This Response is not to exceed five**  
15 **(5) pages.** Failure to respond could result in dismissal of this case.  
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17  
18 DATED this 7 day of June, 2017.

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21 RICARDO S. MARTINEZ  
22 CHIEF UNITED STATES DISTRICT JUDGE  
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